

BEFORE THE FISH AND WILDLIFE COMMISSION
OF THE STATE OF MONTANA

In the matter of soliciting applications)	NOTICE OF NEGOTIATED
for membership on a negotiated)	RULEMAKING
rulemaking committee to develop)	
administrative rule language)	
pertaining to recreational use on the)	
Madison River)	

TO: All Concerned Persons

1. The Fish and Wildlife Commission (commission) intends to establish an independent negotiated rulemaking committee to develop administrative rule language pertaining to recreational use on the Madison River.

2. The independent negotiated rulemaking committee will consider issues for reaching a consensus on the development of administrative rule language which could affect commercial and recreational use of the Madison River.

3. Interests that are likely to be significantly affected by the proposed rule are commercial users and previous or current recreationists on the Madison River.

4. One individual will be appointed to represent the commission on the negotiated rulemaking committee.

5. One individual will be appointed to represent the Department of Fish, Wildlife and Parks on the committee.

6. The commission is seeking applications from interested parties to serve on a diverse committee to represent the various interest categories that recreate on the Madison River or are affected by recreation management decisions. The commission is seeking individuals who are willing to work toward collaborative solutions to meet their own personal interests as well as the interests of the other committee members and the public at large to reach consensus on the proposed rule. It is imperative committee members treat each other with respect and civility. The structure of the committee will be focused on all the interests being represented rather than equal representation of persons for each interest. Consensus is required for a proposal to be advanced to the commission; therefore, any one person can affect the outcome of each recommendation before committee. The commission will appoint approximately eight to ten people to represent the interests. People with the ability to represent more than one interest category are desirable.

7. The commission has identified the following as interests to be represented on the committee:

float angling
wade angling

regulated commercial use of the Madison River
Montana licensed fish outfitting
Montana licensed fish guiding
visitation of Fishing Access Sites not used for floating or fishing
ownership of land adjacent to the Madison River
non-angling boating
employment in recreation or tourism business
personal or financial interest in commercial angling
non-angling business ownership
organized interest group
any other interest deemed appropriate that may be identified through the application process

8. The proposed working schedule for the negotiated rulemaking committee is as follows:

(a) On September 21, 2018, this notice and application materials for membership on the negotiated rulemaking committee will also be mailed to persons known to the agency to have an interest in this matter and posted on the Department of Fish, Wildlife and Parks' website (www.fwp.mt.gov).

(b) On September 21, 2018, this notice and application materials will be mailed to persons generally interested in river recreation and general topics related to fish, wildlife, and parks.

(c) Applications for membership on the negotiated rulemaking committee must be received no later than October 22, 2018. After receipt and consideration of the comments and applications, the commission will establish a negotiated rulemaking committee no later than December 7, 2018. The members selected to serve on the committee must be able to adequately represent the interests of the persons that will be significantly affected by the proposed rule. The committee member will be notified in writing of their selection and receive an information packet.

(d) The negotiated rulemaking committee will convene its first meeting in January 2019. Location of meetings will depend on availability of meeting rooms and travel distance for committee members. After selection of the committee, committee members will be provided with many documents that will need to be reviewed prior to the first meeting.

(e) The commission expects the committee to reach consensus on proposed rule language by March of 2019.

9. The commission will make reasonable accommodations for persons with disabilities who wish to participate on the committee.

10. Interested parties may submit their application for membership or concerned persons may submit their views and comments concerning the proposed negotiated rulemaking process to: Madison River Negotiated Rulemaking, Department of Fish, Wildlife and Parks, 1400 South 19th, Bozeman, MT, 59718; or e-mail madisonrivercom@mt.gov, and must be received no later than October 22, 2018.

/s/ Rebecca Dockter

Rebecca Dockter

Rule Reviewer

Department of Fish, Wildlife and Parks

/s/ Richard Stuker

Richard Stuker

Vice-Chair

Fish and Wildlife Commission

Certified to the Secretary of State September 11, 2018.